

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	Case No. 4:05CR3071
)	
ROCK MUELLER,)	
)	
Defendant.)	

ORDER

THIS MATTER comes before the Court on defendant's Motion to Continue Trial, filing 22, from September 11, 2006, until a date certain in approximately 90 days. The Court, being fully advised in the premises, finds that said motion should be granted in part.

IT IS THEREFORE ORDERED that the defendant's trial in the above captioned matter shall be continued to the 16th day of October, 2006, at 9:00 a.m. This Court further finds that, based upon the showing set forth in defendant's Motion, the ends of justice will be served by continuing defendant's trial. Further, that taking such action outweighs the best interests of the public and the defendant in a speedy trial. Accordingly, the time from August 31, 2006, until the time this case is re-scheduled for trial shall be excluded from any speedy trial calculation pursuant to 18 U.S.C. §3161(h)(8)(A).

Dated this 1st day of September, 2006.

BY THE COURT

s/ *David L. Piester*

David L. Piester
United States Magistrate Judge